

CAUSE NO. 96-G0201

HERCULES MARINE SERVICES
CORPORATION
PLAINTIFF

VS.

BOB CASALE
DEFENDANT

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IN THE DISTRICT COURT

239TH JUDICIAL DISTRICT OF

BRAZORIA COUNTY, TEXAS

DIRECT QUESTIONS TO BE PROPOUNDED TO THE

**Custodian of Records For:
Texas Natural Resource Conservation Commission**

1. Please state your full name, address, occupation and official title?

ANSWER Jimmie E. Savage, P.O. Box 13087 Austin, TX

Records Manage. & Custodian of Records

2. Are you in possession of the records as stated in the Subpoena Duces Tecum?

ANSWER Yes

3. Were such records kept in the course of a regularly conducted business activity and was it the regular practice of that business activity to make such record or to transmit information thereof to be included in such record?

ANSWER Yes

4. Were such records you have furnished the Notary Public kept under your care, supervision, direction, custody and/or control?

ANSWER Yes

5. Was it in the regular course of business of the Texas Natural Resource Conservation Commission for a person with knowledge of the act, event, matter recorded to make the record or to transmit information thereof to be included in such record?

ANSWER Yes

6. Were these records made at the time or near the time of the transactions recorded by, or from information transmitted by, a person with knowledge of such transactions?

ANSWER Yes

7. Does the source of the information, and the method and circumstance of its preparation, establish the trustworthiness of the records?

ANSWER Yes

8. Please furnish the Notary Public exact duplicates of the records as requested in the Subpoena Duces Tecum or the originals thereof, in your custody, for photocopying for attachment to this deposition. Have you done as requested? If not, why not?

ANSWER NO. All records are being supplied with the exception of those in the possession of Mr Bryan Lynch. Mr. Lynch's files are being reviewed by agency legal staff for confidentiality issues. The status of these files will be provided at a later date.

[Signature]
WITNESS (Custodian of records)

Before me, the undersigned authority, on this day personally appeared Jimmie E Savage custodian of records for the Texas Natural Resource Conservation Commission, known to me to be the person whose name is subscribed to the foregoing instrument in the capacity therein stated, who being first duly sworn, stated upon his/her oath that the answers to the foregoing questions are true and correct. I further certify, to the best of my knowledge, that the records attached hereto are exact duplicates of the original records.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 12th day of May
19 98.

Jacqueline Heinemann
Notary Public, State of Texas

My Commission Expires: 7-22-00

Mr. William J. Eggleston
Attorney for: Bob Casale/Defendant
State Bar No. 06483500

